THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.13979 of 2007

Date: 02.07.2007

Between:

C.H.Moses Lal

....Petitioner

and

State of Andhra Pradesh and others

....Respondents

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.13979 of 2007

O R D E R:

The petitioner seeks a declaration that the action of the second respondent in trying to forcibly evict him from the Government Quarter No.MC-77, Malakpet Colony, Hyderabad, without issuing notice to him is arbitrary, illegal and violative of Articles 14, 16 and 21 of the Constitution of India.

Heard the learned counsel for the petitioner and the learned Government Pleader for General Administration Department.

The mother of the petitioner, by name, Rahelamma was an allottee of the Quarter referred to above. She was to retire on 30.06.2006. Much before that date, it was allotted in favour of Shri T.Shiva Kumar and he was required to occupy the same after Rahelamma vacates it. However, the respondents permitted the petitioner to occupy the said Quarter, after the retirement of his mother in anticipation of his being promoted to the post of Record Assistant. It is not in dispute that as of now, he is only Attender and he is not eligible to be allotted the Quarter.

Further, Shri T.Shiva Kumar, who was allotted the quarter, filed

W.P.No.13186 of 2007 seeking implementation of the order of allotment in his favour.

The learned Government Pleader for General Administration Department was granted time to obtain instructions in the matter. Today, a copy of memo, dated 28.06.2007, is placed before this Court, through which, the second respondent was directed by the Deputy Secretary to Government to see that the allottee of the Quarter is to be in possession thereof, without any further loss of time. This Court does not find any basis to grant relief to the petitioner.

The writ petition is accordingly dismissed. There shall be no order as to costs.

L.NARASIMHA REDDY, J

2nd JULY, 2007.

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